



**AGENDA FOR TEXAS REAL ESTATE COMMISSION (TREC) MEETING
STEPHEN F. AUSTIN BUILDING
1700 N. Congress, Room 170
Austin, TX 78701**

May 2, 2016 at 10:00 a.m.

CALL TO ORDER

1. Call to order and pledges of allegiance
2. Discussion and possible action to excuse Commissioner absence(s), if any

STAFF AND COMMITTEE REPORTS

3. Reports by executive director, general counsel, and division directors of monthly activities and statistical data for communications, licensing, education, enforcement, information technology, staff services, recovery trust account and fund activity, and updates on new and ongoing agency activity; questions by commissioners to division directors regarding issues raised by the monthly activities reports; discussion of current topics raised by monthly reports; requests by commissioners for additional information or reports from staff; and introduction of new employees
4. Report by Budget Committee
5. Report by Executive Committee
6. Report by Education Standards Advisory Committee
7. Report by Texas Real Estate Inspector Committee

PUBLIC COMMENTS

8. General comments from visitors on non-agenda items

EXECUTIVE SESSION

9. Executive session to discuss pending litigation or obtain advice of legal counsel on agenda items pursuant to Texas Government Code §551.071 and personnel matters pursuant to Texas Government Code §551.074

CONTESTED CASES

10. Consideration and possible action regarding proposal for decision in the matter of
 - a. Docket No. 329-16-1097.REC; TREC v. Brandy Huttanus Hardin

Pursuant to the Americans with Disabilities Act, any requests for reasonable accommodation needed by persons wishing to attend this meeting should call Amber Hinton at 512-936-3000.

Pursuant to Section 46.035(c) of the Texas Penal Code handgun license holders are prohibited from carrying a handgun at this government meeting. This prohibition applies to both concealed and open carry handguns.

- b. Docket No. 329-16-0287.REC; TREC v. Mary Francis White
- c. Docket No. 329-16-0261.REC; TREC v. Carl James O'Neal, III

RECOVERY FUND

- 11. Discussion and possible action to authorize settlement of recovery fund claims or take other action on
 - a. RF 16006; Simmons v. Eric Parish
 - b. RF 16007; Karl Bailey v. Eric Lee
 - c. RF 16008; Philip Hawkes v. Sky Group, LLC, et al.
 - d. RF 16010; Classic Oilfield Services, LP, et al. v. Bill Kalil

RULES FOR POSSIBLE ADOPTION

- 12. Discussion and possible action to adopt amendments to 22 TAC Chapter 535, Subchapter F as follows:
 - a. §535.63, Approval of Instructors of Qualifying Courses; and
 - b. §535.64, Content Requirements for Qualifying Real Estate Courses
- 13. Discussion and possible action to adopt amendments to 22 TAC §535.73, Approval of Elective Continuing Education Courses

RULES FOR POSSIBLE PROPOSAL

- 14. Discussion and possible action to propose amendments to 22 TAC Chapter 535, Subchapter E as follows:
 - a. §535.53, Business Entity; Designated Broker; and
 - b. §535.55, Education and Sponsorship Requirements for a Salesperson License
- 15. Discussion and possible action to propose amendments to 22 TAC Chapter 535, Subchapter F as follows:
 - a. §535.64, Content Requirements for Qualifying Real Estate Courses; and
 - b. §535.65, Responsibilities and Operations of Providers of Qualifying Courses
- 16. Discussion and possible action to propose 22 TAC §535.72, Approval of Non-elective Continuing Education Courses
- 17. Discussion and possible action to propose new 22 TAC §535.83, Association of Designated Broker on Claim
- 18. Discussion and possible action to propose amendments to 22 TAC §535.123, Inactive Broker Status
- 19. Discussion and possible action to propose amendments to 22 TAC §535.191, Schedule of Administrative Penalties
- 20. Discussion and possible action to propose amendments to 22 TAC Chapter 535, Subchapter R as follows:
 - a. §535.227, Standards of Practice: General Provisions;
 - b. §535.228, Standards of Practice: Minimum Inspection Requirements for Structural Systems;
 - c. §535.229, Standards of Practice: Minimum Inspection Requirements for Electrical Systems;
 - d. §535.330, Standards of Practice: Minimum Inspection Requirements for Heating, Ventilation, and Air Conditioning Systems;
 - e. §535.331, Standards of Practice, Minimum Inspection Requirements for Plumbing Systems;
 - f. §535.332, Standards of Practice, Minimum Inspection Requirements for Appliances; and
 - g. §535.333, Standards of Practice, Minimum Inspection Requirements for Optional Systems

PENDING BUSINESS

21. Discussion and possible action regarding the Agency Strategic Plan FY 2017-2021

NEW BUSINESS

22. Discussion and possible action regarding two-year renewal of agency contract with Pearson VUE for License Examination Development and Administration.
23. Discussion and possible action regarding performance review and salary of TREC Executive Director
24. Discussion and possible action regarding FY 2017 draft budget
25. Discussion and possible action regarding TREC Annual Internal Audit Plan 2016
26. Discussion and possible action regarding amendments to the MOU between TREC and TALCB
27. Discussion and possible action regarding nomination process for Vice-Chair and Secretary

FUTURE MEETINGS

28. Discussion and possible action regarding future agenda items
29. Discussion and possible action to schedule future meetings
30. Adjourn